

## REMARKS

The Applicants thank the Office for their time in review of present application. The Office rejected claims 1-4, 6, 7, 14-17 and 20 under 35 U.S.C. 103(a) as being unpatentable over the US publication of Hughes (20030213598) in view of US patent of Pacault et al., (6,950,034). The Applicants respectfully traverse this rejection because US patent 6,950,034 by Pacault has a priority date of August 29, 2003 while the present application has a priority date of July 2, 2003. Since the priority date of Pacault is after the priority date of the present application, the Applicants respectfully submit that Pacault can not be used as a reference against the present application. Since Pacault can not be used as a reference against the present application, the Applicants respectfully submit that claims 1-4, 6, 7, 14-17 and 20 are allowable over Hughes and Pacault.

The Applicants also respectfully point out that none of the prior art that was made of record and not relied upon discloses a downhole repeater; therefore, the Applicants respectfully submit that claims 1-4, 6, 7, 14-17 and 20 are allowable.

Claims 5 and 18 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes in view of Pacault et al, and further in view of US patent of Ringgerberg et al, (6, 177,882). Since Pacault can not be used as a reference and since claim 5 depends from allowable base claim 1, and claim 18 depends from allowable base claim 18, the Applicants respectfully submit that claims 5 and 18 are also allowable.

Claims 8, 9 and 10 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes in view of Pacault et al, and further in view of US publication of Allamon et al, (20020061224). Since

Pacault can not be used as a reference and since claims 8, 9, and 10 depend from allowable base claim 1, the Applicants respectfully submit that claims 8, 9, and 10 are also allowable.

Claims 11, 12, and 19 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes in view of Pacault et al, and further in view of US patent of Montgomery et al, (5,166,908). Since Pacault can not be used as a reference and since claims 11 and 12 depend from allowable base claim 1 and since claim 19 depends from allowable base claim 14, the Applicants respectfully submit that claims 11, 12, and 19 are also allowable.

Claim 13 was also rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes in view of Pacault et al, and further in view of Montgomery et al., and further in view of US publication of Koro (20030102980). Since Pacault can not be used as a reference and since claim 13 depends from allowable base claim 1, the Applicants respectfully submit that claim 13 is also allowable.

In view of the arguments made herein, Applicants respectfully submit that the application is now in condition for allowance. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Applicants believe that there are no fees due at this time; however, as stated in the communication filed on May 27, 2004 the commissioner is authorized to charge any fees that may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account 180584. If there are any questions concerning the above, please contact the undersigned at 801-310-8427.

Respectfully submitted,

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*Tyson J. Wilde*  
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